

**UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,)	
)	
Plaintiff,)	
)	Case No. 2:22-cv-203-JRG
vs.)	
)	JURY TRIAL DEMANDED
MICRON TECHNOLOGY, INC.;)	
MICRON SEMICONDUCTOR)	
PRODUCTS, INC.; MICRON)	
TECHNOLOGY TEXAS LLC,)	
)	
Defendants.)	

**DECLARATION OF JASON G. SHEASBY IN SUPPORT OF
PLAINTIFF NETLIST, INC.'S MOTION FOR SUMMARY JUDGMENT
ON MICRON'S EQUITABLE DEFENSES**

I, Jason G. Sheasby, declare as follows:

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for Plaintiff Netlist, Inc. (“Netlist”) in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice *pro hac vice* before this Court in this action. I provide this declaration in support of Netlist, Inc.’s Motion for Summary Judgment on Micron’s Equitable Defenses. I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

2. Attached as **Exhibit 1** is a true and correct copy of the Memorandum Opinion and Order Supported by Findings of Fact and Conclusions of Law in *Netlist v. Samsung*, Case No. 2:21-cv-463, Dkt. 550.

3. Attached as **Exhibit 2** is a true and correct copy of excerpts of the file history for U.S. Patent App. No. 12/240,916.

4. Attached as **Exhibit 3** is a true and correct excerpt of the file history for the ‘918 Patent.

5. Attached as **Exhibit 4** is a true and correct excerpt of the file history for the ‘054 Patent.

6. Attached as **Exhibit 5** is a true and correct copy of JEDEC Manual JM21U.

7. Attached as **Exhibit 6** is a true and correct excerpt of the Deposition Transcript of John Halbert, dated September 30, 2023.

8. Attached as **Exhibit 7** is a true and correct excerpt of the Deposition Transcript of Scott Milton, dated September 1, 2023.

9. Attached as **Exhibit 8** is a true and correct excerpt of the Deposition Transcript of Tobin Hobbs, dated September 13, 2023.

10. Attached as **Exhibit 9** is a true and correct excerpt of the Deposition Transcript of Mario Martinez, dated December 7, 2022, from the *Netlist v. Samsung*, Case No. 2:21-cv-463-

JRG.

11. Attached as **Exhibit 10** is a true and correct copy of the Notice of Refusal to Offer Licenses on RAND Terms Form, Bates numbered JDEDEC000035875-906.

12. Attached as **Exhibit 11** is a true and correct copy of the License Assurance / Disclosure Form, Bates numbered NETLIST_SAMSUNGEXTX00022012 – 047.

13. Attached as **Exhibit 12** is a true and correct excerpt of the file history for the ‘060 Patent.

14. Attached as **Exhibit 13** is a true and correct excerpt of the file history for the ‘160 Patent.

15. Attached as **Exhibit 14** is a true and correct excerpt of Micron’s Sixth Supplemental Responses to Netlist’s First Set of Interrogatories, dated September 20, 2023.

16. Attached as **Exhibit 15** is a true and correct excerpt of the Deposition Transcript of Frank Ross, dated August 17, 2023.

17. Attached as **Exhibit 16** is a true and correct excerpt of the Rebuttal Expert Report of Matthew Lynde, dated October 30, 2023.

18. Attached as **Exhibit 17** is true and correct excerpt of the Rebuttal Expert Report of John B. Halbert, dated October 30, 2023.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 14, 2023, in Los Angeles, California.

By /s/ Jason G. Sheasby
Jason G. Sheasby